



# COMMONWEALTH OF MASSACHUSETTS

## Office of Consumer Affairs and Business Regulation

### DIVISION OF INSURANCE

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## Property & Casualty Insurance Filing Guidance Notice 2007- C

TO: Insurers Intending to Submit Private Passenger Motor Vehicle Insurance  
Rate Filings For Policies Effective April 1, 2008

FROM: Kevin Beagan, Director of the State Rating Bureau

DATE: November 13, 2007

RE: Filing Instructions for Private Passenger Motor Vehicle Policies Effective April 1, 2008

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The purpose of this notice is to advise insurance companies of the filing procedures when submitting private passenger motor vehicle insurance Transition Rate Filings (as defined in 211 CMR 79.00) for policies effective in the Commonwealth as of April 1, 2008.

### **The Submission of November 19, 2007 Transition Rate Filings**

As noted in 211 CMR 79.19(6)(a), "[n]o later than November 19, 2007, each Insurer or Insurance Company Group intending to issue private passenger motor vehicle insurance policies between April 1, 2008 and April 30, 2008 shall file an initial Transition Rate Filing proposing Rates to be effective as of April 1, 2008, unless; 1. a Rating Organization has on or before that date filed a Transition Rate Filing on behalf of the Insurer or Insurance Company Group; or 2. the Insurer is an Under One-percent Company that on or before that date provided notice to the Commissioner in writing that it intends to adopt the Rates contained in the AIB's Transition Advisory Filing."

In order to facilitate an expeditious processing of these filings, the Division expects that all rate filings and notices from insurance companies that are adopting the AIB's Transition Advisory Rate Filing arrive at the Division of Insurance's reception area by **no later than 12:00 noon** on November 19, 2007. All such filings, whether contained in envelopes or boxes, must be

addressed to the attention of Ms. Andrea Guen and should prominently display that they are Private Passenger Motor Vehicle rate filings.

### **Form of Transition Rate Filings**

As noted in 211 CMR 79.06(3), all rate filings “shall be made in triplicate, with one copy unstapled or unbound; provided, however, that the Division may request additional paper copies that shall be supplied by the Filer at the Filer’s expense.” It is further noted that “[e]lectronic filings...shall be in a form satisfactory to the Commissioner...[and] the Filer shall submit simultaneously one copy of the Rate Filing or Advisory Filing to the Attorney General, unless the Commissioner directs otherwise.”

In order to facilitate the use and availability of submitted rate filing materials, the Division requests that all company Transition Rate Filings’ electronic submission materials include two separate CDs. The Division requests that the first CD include a “pdf” version of the rate filing materials and be specifically labeled as “PDF Version” on the cover of the CD. The Division requests that the second CD include the data worksheets in Microsoft Excel<sup>®</sup> tables and Access<sup>®</sup> database used in completing the rate filing and be specifically labeled “Worksheet Version” on the cover of the CD. **Companies should be aware that they additionally may submit rate filing materials via SERFF (System for Electronic Rate and Form Filing). A SERFF filing does not replace the requirement that the November 19, 2007 Private Passenger Motor Vehicle rate filing submission includes three paper copies and the two noted CDs.**

### **Content of Transition Rate Filings**

As noted in 211 CMR 79.06(3), all rate filings “shall utilize the forms and checklists approved by the Commissioner.” Companies are reminded that all private passenger motor vehicle insurance filings are to be submitted with the materials that are noted within in the Division of Insurance’s filing instructions for rate filings identified on Division’s webpage<sup>1</sup>

In order to facilitate the processing of this filing, please be sure that the submitted filing includes the following materials identified in the filing instructions:

Lockbox Form  
Uniform Transmittal Document  
Certification of Compliance  
The Rate Filings Abstract

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<sup>1</sup> The actual web address for the Division of Insurance’s Policy Form Instructions

[http://www.mass.gov/?pageID=ocaterminal&L=7&L0=Home&L1=Licensee&L2=License+Types%2c+Forms+%26+Requirements&L3=Insurance&L4=Insurance+Companies&L5=Policy+Form+and+Rate+Filing&L6=Property+%26+Casualty+Insurance+Forms+and+Rates&sid=Eoca&b=terminalcontent&f=doi\\_Companies\\_companies\\_policyfor\\_ms\\_pc\\_filing&csid=Eoca](http://www.mass.gov/?pageID=ocaterminal&L=7&L0=Home&L1=Licensee&L2=License+Types%2c+Forms+%26+Requirements&L3=Insurance&L4=Insurance+Companies&L5=Policy+Form+and+Rate+Filing&L6=Property+%26+Casualty+Insurance+Forms+and+Rates&sid=Eoca&b=terminalcontent&f=doi_Companies_companies_policyfor_ms_pc_filing&csid=Eoca)

### **Availability of Transition Rate Filings**

In order to facilitate the availability of submitted rate filing materials, the Division will consolidate all private passenger motor vehicle rate filings onto one DVD by November 20, 2007 at 12:00 noon. Any interested person may receive a copy of such DVD, in exchange for a \$60 fee.

The Division is asking all persons who may be interested in obtaining a copy or copies of the DVD containing the November 19, 2007 rate filings to complete the pre-order form that is attached to this notice and submit it to the attention of Ms. Andrea Guen either by regular mail at One South Station, Boston, Massachusetts, by facsimile machine at (617) 521-7750 or by electronic mail at [andrea.guen@state.ma.us](mailto:andrea.guen@state.ma.us). All such pre-order forms should be completed and sent to Ms. Guen's attention by no later than 12:00 noon on November 19, 2007.

The Division is relying on an outside vendor to copy the DVDs. It is our goal to have all copies available for pick-up from Ms. Guen after 12 noon, Tuesday, November 20, 2007 at Hearing Room B on the Fifth Floor of One South Station, Boston, Massachusetts. The person picking up the DVD(s) must be the same person pre-identified by the company or organization and must present his/her photo ID at the time of retrieval. He/she also must present a check made payable to the Commonwealth of Massachusetts in the amount of \$60 for each DVD ordered.

If a company or other entity wishes a copy of the DVD(s) mailed to its attention, please note this on the pre-order form. In addition, please include with the pre-order form, a check made payable to the Commonwealth of Massachusetts in the amount of \$60 for each DVD ordered and either a prepaid and pre-addressed envelope or if a company wishes to use a special delivery package, one completed with address, company billing information and any special delivery instructions.

### **The Submission of November 27, 2007 Amendment Rate Filings**

As noted in 211 CMR 79.19(6)(c), "[f]ilers may amend any Voluntary Market Transition Rate Filings made pursuant to 211 CMR 79.19(6)(a) through the fifth business day following the Division's receipt of Filing." Recognizing that the Thanksgiving holiday occurs within this period, the Division will accept amendments to Voluntary Market Transition Rate Filings provided that they arrive at the Division of Insurance's reception area by **no later than 12:00 noon** on Tuesday, November 27, 2007.

The Division requests that those companies which are not amending their November 19, 2007 Voluntary Market Transition Rate Filing submit a notice stating such intent no later than 12:00 noon on Tuesday, November 27, 2007.

All amendment filings and notices that companies are not amending their filings should be addressed to the attention of Ms. Andrea Guen. Such filings and notices should display prominently that they are Private Passenger Motor Vehicle rate filing materials.

If you have any questions regarding this Filing Guidance Notice, please contact Kevin Beagan at (617) 521-7323 or via email at [kevin.beagan@state.ma.us](mailto:kevin.beagan@state.ma.us). If you would like to contact Ms. Guen to clarify the arrangements to pick-up or arrange the mailing of pre-ordered DVDs, please contact her at (617) 521-7339 or via email at [andrea.guen@state.ma.us](mailto:andrea.guen@state.ma.us).

**Pre-Order Form for Copy of DVD  
of November 19, 2007  
Private Passenger Motor Vehicle Rate Filings**

All parties who may be interested in obtaining a copy or copies of the DVD containing the November 19, 2007 rate filings are to complete this pre-order form and submit it to the attention of Ms. Andrea Guen within the Division of Insurance either by (1) regular mail sent to her attention at One South Station, Boston, Massachusetts, (2) facsimile machine at (617) 521-7750 or (3) e-mail at andrea.guen@state.ma.us. **All such pre-order forms should be completed and sent to Ms. Guen's attention by no later than 12:00 noon on November 19, 2007 in order to obtain a copy of the DVD on November 20.**

If a company or other entity wishes a copy of the DVD(s) mailed to its attention, please note this on the pre-order form. In addition, please include with the pre-order form, a check made payable to the Commonwealth of Massachusetts sufficient to pay the \$60 fee for each DVD pre-ordered and either a prepaid and pre-addressed envelope or if a company wishes to use a special delivery package, one completed with address, company billing information and any special delivery instructions.

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**Person Requesting DVD** \_\_\_\_\_

**Number of DVDs Requested** \_\_\_\_\_

**(Please note that there will be a fee of \$60 per DVD requested)**

**Telephone Number of Person Requesting the DVD** \_\_\_\_\_

**E-Mail Address of Person Requesting the DVD** \_\_\_\_\_

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**Requested Method of Obtaining DVD (Check One)**

\_\_\_\_\_ **Pickup at One South Station between 12 noon and 3 PM on November 20, 2007**

**Person Who Is Designated to Pickup the DVD for the Person Requesting the DVD**

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**(Please be sure that person picking up DVD brings photo identification)**

\_\_\_\_\_ **Submission of Preaddressed/ Prepaid Package**

**(Please be sure to include a check made payable to the Commonwealth of Massachusetts in the amount of \$60 for each DVD as well as a preaddressed/premailed package in which the DVD should be shipped)**